

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

HOWARD M. ROWELL

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:09CV731HSO-JMR

TONY LAWRENCE, et al.

DEFENDANTS

ORDER ADOPTING REPORT AND RECOMMENDATION

This cause comes before the Court on the Report and Recommendation [39] of Chief United States Magistrate Judge John M. Roper entered in this cause on May 11, 2011. The record reveals that Plaintiff has not complied with the Court's Orders, including those requiring him to advise the Court of any change of address [4], [6], [7], [10], [13]. Further, the Court's Order [34] directing Plaintiff to respond to Defendant Tony Lawrence's Motion to Dismiss [30], and the Court's Order to Show Cause [36] as to why this case should not be dismissed for failure to inform the Court of his intentions to voluntarily dismiss Defendant Tony Lawrence or for failing to advise the Court of a change in address, were returned as undeliverable. *See* Returned Mail [35], [37]. He has not responded to the Court's March 30, 2011 Order to Show Cause [38], or filed any objections to the Magistrate's Report and Recommendation.

Based upon the record before this Court, the undersigned finds that the Magistrate Judge properly recommended that the above captioned cause be dismissed. After referral of hearing by this Court, no objections having been filed, and the Court, having fully reviewed the same as well as the record in this matter,

and being duly advised in the premises, finds that the Magistrate's Report and Recommendation should be adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED AND ADJUDGED that, the Report and Recommendation [39] of Chief United States Magistrate Judge John M. Roper entered in this cause on May 11, 2011, be, and the same hereby is, adopted as the finding of this Court, and the Complaint is hereby dismissed without prejudice. A separate judgment will be entered in accordance with this Order as required by Federal Rule of Civil Procedure 58.

IT IS, FURTHER, ORDERED AND ADJUDGED that, all pending Motions are denied as moot.

SO ORDERED AND ADJUDGED, this the 27th day of May, 2011.

s/ Halil Suleyman Ozerden

HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE